



United States Department of the Interior
Bureau of Land Management

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Battle Mountain, Nevada 89820
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In reply refer to:

4120/4700
(NV062)

JUN 27 2002

Dear Reader:

The Final Multiple Use Decision (FMUD) for the Grass Valley Allotment sent to you on June 21, 2002, may not have had the appendices attached. If the appendices are missing from your copy, please find the enclosed Appendices A, B, and C.

Respectfully,

John F. Winnepenninkx
Assistant Field Manager
Renewable Resources

Enclosures (3):

- Appendix A RAC Standard and Guidelines Conformance Determination Summary
- Appendix B RMP and RMP Amendment Objectives and RPS Allotment Specific Objectives
- Appendix C Livestock Agreements
 1. Baumann/Flying "T" Ranch Agreement
 2. UNR-Gund Ranch Agreement
 3. Dry Creek Ranch Agreement
 4. Dean Ranch Agreement/Relinquishment

**NORTHEASTERN GREAT BASIN AREA
RESOURCE ADVISORY COUNCIL STANDARDS AND GUIDELINES
AND CONFORMANCE DETERMINATION SUMMARY**

This appendix details the Northeastern Great Basin Area RAC Standards and Guidelines. Following the description of each standard, the Conformance Determination Summary briefly states if the standard has been achieved or not, and if not, the causal and significant causal factors which led to non achievement. This information is detailed further in the Conformance Determination which was signed March 6, 2002.

STANDARD 1. UPLAND SITES:

Upland soils exhibit infiltration and permeability rates that are appropriate to soil type, climate and land form.

As indicated by:

Indicators are canopy and ground cover, including litter, live vegetation and rock, appropriate to the potential of the site.

GUIDELINES:

- 1.1 Livestock grazing management and wild horse and burro population levels are appropriate when in combination with other multiple uses they maintain or promote upland vegetation and other organisms and provide for infiltration and permeability rates, soil moisture storage, and soil stability appropriate to the ecological site within management units.*
- 1.2 When livestock grazing management and wild horse and burro herd management alone are not likely to restore areas of low infiltration or permeability, land management treatments should be designed and implemented where appropriate.*
- 1.3 Livestock grazing management and wild horse and burro herd management are adequate when significant progress is being made toward this standard.*

Conformance Determination Summary
Standard 1: Upland Sites --Not Achieved.

Livestock grazing is the significant causal factor leading to Standard 1 not being achieved.

Wild horse population level is a causal factor to Standard 1 not being achieved.

Livestock management and wild horse herd management are not in conformance with the guidelines.

STANDARD 2. RIPARIAN AND WETLAND SITES:

Riparian and wetland areas exhibit a properly functioning condition and achieve state water quality criteria.

As indicated by:

Stream side riparian areas are functioning properly when adequate vegetation, large woody debris, or rock is present to dissipate stream energy associated with high water flows. Elements indicating proper functioning condition such as avoiding accelerating erosion, capturing sediment, and providing for groundwater recharge and release are determined by the following measurements as appropriate to the site characteristics.

Width/Depth ratio; Channel roughness; Sinuosity of stream channel; Bank stability; Vegetative cover (amount, spacing, life form); and Other cover (large woody debris, rock).

Natural springs, seeps, and marsh areas are functioning properly when adequate vegetation is present to facilitate water retention, filtering, and release as indicated by plant species and cover appropriate to the site characteristics.

Chemical, physical and biological water constituents are not exceeding the state water quality standards.

GUIDELINES:

- 2.1 *Livestock grazing management and wild horse and burro population levels will maintain or promote sufficient vegetation cover, large woody debris, or rock to achieve proper functioning condition in riparian and wetland areas. Supporting the processes of energy dissipation, sediment capture, groundwater recharge, and stream bank stability will thus promote stream channel morphology (e.g., width/depth ration, channel roughness, and sinuosity) appropriate to climate, landform, gradient, and erosional history.*
- 2.2 *Where livestock grazing management and wild horse and burro herd management are not likely to restore riparian and wetland sites, land management treatments should be designed and implemented where appropriate to the site.*
- 2.3 *Livestock grazing management and wild horse and burro herd management will maintain, restore or enhance water quality and ensure the attainment of water quality that meets or exceeds state standards.*
- 2.4 *Livestock grazing management and wild horse and burro herd management are adequate when significant progress is being made toward this standard.*

Conformance Determination Summary

Standard 2: Riparian Wetland Sites – Not Achieved

Livestock grazing is the significant causal factor leading to Standard 2 not being achieved.

Wild horse population level is a causal factor to Standard 2 not being achieved.

Livestock management and wild horse herd management are not in conformance with the guidelines.

STANDARD 3. HABITAT:

Habitats exhibit a healthy, productive, and diverse population of native and/or desirable plant species, appropriate to the site characteristics, to provide suitable feed, water, cover and living space for animal species and maintain ecological processes. Habitat conditions meet the life cycle requirements of threatened and endangered species.

As indicated by:

Vegetation composition (relative abundance of species);

Vegetation structure (life forms, cover, heights, or age classes);

Vegetation distribution (patchiness, corridors);

Vegetation productivity; and Vegetation nutritional value.

GUIDELINES:

- 3.1 *Livestock grazing management and wild horse and burro population levels will promote the conservation, restoration and maintenance of habitat for threatened and endangered species, and other special status species as may be appropriate.*
- 3.2 *Livestock grazing intensity, frequency, season of use and distribution and wild horse and burro population levels should provide for growth and reproduction of those plant species needed to reach long-term land use plan objectives. Measurements of ecological condition and trend/utilization will be in accordance with techniques identified in the Nevada Rangeland Monitoring Handbook.*
- 3.3 *Livestock grazing management and wild horse and burro management should be planned and implemented to allow for integrated use by domestic livestock, wildlife, and wild horses and burros consistent with land use plan objectives.*
- 3.4 *Where livestock grazing management and wild horse and burro herd management alone are not likely to achieve habitat objectives, land treatments may be designed and implemented as appropriate.*
- 3.5 *When native plant species adapted to the site are available in sufficient quantities, and it is economically and biologically feasible to establish or increase them to meet management objectives, they will be emphasized over non-native species.*
- 3.6 *Livestock grazing management and wild horse and burro herd management are adequate when significant progress is being made toward this standard.*

Conformance Determination Summary**Standard 3: Habitat – Not Achieved**

Livestock grazing is a significant causal factor leading to Standard 1 not being achieved.

Wild horse population level is a significant causal factor leading to Standard 1 not being achieved.

Livestock management and wild horse herd management are not in conformance with the guidelines.

STANDARD 4. CULTURAL RESOURCES:

Land use plans will recognize cultural resources within the context of multiple use.

GUIDELINES:

- 4.1 *Rangeland management plans will consider listings of known sites that are National Historic Register eligible or considered to be of cultural significance and new eligible sites as they become known.*
- 4.2 *Wild horse and burro herd management will be designated to avoid or mitigate damage to significant cultural resources.*

Conformance Determination Summary
Standard 4: Cultural Resources – Achieved

STANDARD 5. HEALTHY WILD HORSE AND BURRO POPULATIONS:

Wild horses and burros exhibit characteristics of a healthy, productive, and diverse population. Age structure and sex ratios are appropriate to maintain the long term viability of the population as a distinct group. Herd management areas are able to provide suitable feed, water, cover and living space for wild horses and burros and maintain historic patterns of habitat use.

As indicated by:

Healthy rangelands that provide sufficient quantities and quality of forage and water to sustain the appropriate management level on a year long basis within a herd management area.

Wild horses and/or burros managed on a year-long basis for a condition class greater than or equal to five to allow them normal chances for survival in the winter (see glossary for equine body conditioning definitions).

Highly adoptable wild horses and burros that are readily available from herd management areas.

Wild horse and burro herds that exhibit appropriate age structure and sex ratio for short- and long-term genetic and reproductive health.

GUIDELINES:

- 5.1 *Implement the objectives outlined in the Wild Free-Roaming Horses and Burros Tactical Plan for Nevada (May 1999).*
- 5.2 *Manage for wild horses and/or burros in herd management areas based on the capability of the HMA to provide suitable feed, water, cover and living space for all multiple uses.*
- 5.3 *Set appropriate Management Levels based on the most limiting habitat factor (e.g. available water, suitable forage, living space and cover) in the context of multiple use.*
- 5.4 *Manage herd management area populations to preserve and enhance physical and biological characteristics that are of historical significance to the herd.*

- 5.5 *Manage wild horse and burro herds for short- and long-term increases and to enhance adoptability by ensuring that wild horses and burros displaying desirable traits are preserved in the herd thus providing a reproductive base to increase highly adoptable horses and burros for future demands.*
- 5.6 *Identify and preserve historic traits and characteristics within the herd which have proven to be highly desirable by the adoption public to increase the long-term availability of animals bearing these features.*
- 5.7 *Wild horse and burro selective removal criteria are modified on a per herd basis to correct deficiencies in population age and sex ratios which threaten short- and long-term genetic diversity and reproductive health.*

Conformance Determination Summary

Standard 5: Healthy Wild Horse and Burro Populations Not Achieved

The wild horse population level is the significant causal factor leading to Standard 5 not being achieved.

Wild horse herd management is not in conformance with the guidelines



<u>Wildlife/Riparian Management Objectives:</u>		Achieved/Not Achieved
1)	Utilization of riparian habitat to be improved will not exceed 40% on key species, and average utilization not to exceed 30%.	Not Achieved
2)	In the short term, improve 17.8 miles of riparian/aquatic habitat to good condition on the following streams: 2.3 miles of Callaghan Creek 2.5 miles of Cowboy Rest Creek 2.5 miles of McClusky Creek Including 214 acres of associated riparian habitat, and 175 acres of other riparian habitat (springs, seeps, wet meadows, etc.) in the allotment.	Not Achieved
3)	Utilization of key browse species not to exceed 50% in terrestrial big game habitat areas.	Not Achieved
4)	Existing big game use (AUMs): 674. In the long term, provide habitat to support 1,564 AUMs (forage needs for reasonable numbers) of big game use, in conformance with other objectives of the RMP.	unknown
5)	In the long term, within the Callaghan Habitat Management Plan (HMP) Area, improve 17,001 acres of terrestrial big game habitat to good condition, and 942 acres to excellent condition. Manage for upward trends on 17,943 acres.	unknown
6)	In the long term, within the Simpson Park HMP Area, improve 16,017 acres to good and 887 acres to excellent condition. Manage for upward trends on 16,904 acres.	unknown
7)	Manage rangeland habitat to maintain or enhance sage grouse strutting and nesting areas, in conformance with other objectives of the RMP.	Not Achieved
8)	RMP Management Action: Manage habitat to support release by Nevada Division of Wildlife of approximately 200 pronghorn antelope to supplement existing populations in the Rocky Hills Area and Bates Mountain Area of the Simpson Park Range in the short term.	Achieved

<u>Special Status Species Management Objectives:</u>		Achieved/Not Achieved
1)	Improve and maintain habitat for state <i>and</i> BLM listed sensitive species and federally listed threatened or endangered species. [Note: BLM sensitive species have been added to the above statement due to the removal of 264 former candidate species from the FWS listing on February 28, 1996. BLM=s policy states that >in order to ensure that actions authorized, funded or carried out by the Bureau do not contribute to the need to list any of these species as threatened or endangered, former candidate species removed from the list, will be placed on the BLM=s sensitive species list until such time as a species by species review can be completed.]	Not Achieved

Grass Valley - Allotment Specific Objectives from the Rangeland Program Summary (RPS):

<u>Vegetation and Ecological Condition Objectives:</u>		Achieved/Not Achieved
1)	Utilization not to exceed 50% on key species.	Not Achieved
2)	In the long term improve 45,964 acres to good condition, and 2,546 acres to excellent condition.	Unknown
3)	In the long term, manage for upward trends on 48,510 acres.	Unknown
<u>Livestock Management Objectives</u>		Achieved/Not Achieved
1)	In the short term manage use at 21,464 AUMs.	Not Achieved
2)	In the long term manage use at 23,441 AUMs in conformance with other objectives of the Resource Management Plan (RMP).	Not Achieved
<u>Wild Horse and Burro Management Objectives:</u>		Achieved/Not Achieved
1)	Initially manage to provide 2,712 AUMs of forage for 226 horses within the Callaghan Herd Management Area. 39.1% of the herd management area is within this allotment.	Not Achieved
2)	Initially manage to provide 504 AUMs of forage for 42 horses within the Rocky Hills Herd Management Area. 31.3% of the herd management area is within the allotment.	Not Achieved
3)	Maintain or improve wild horse habitat in a condition which enhances or preserves their wild and free-roaming behavior, in conformance with other objectives of the RMP.	Not Achieved
4)	Maintain or improve wild horse habitat by ensuring free access to water, in conformance with other objectives of the RMP.	Achieved

Wildlife Habitat Management Objectives:

- 1) To maintain and improve wildlife habitat and to reduce habitat conflicts while providing for other appropriate resource uses.
- 2) To provide habitat sufficient to allow big game populations to achieve reasonable numbers in the long-term.
- 3) To improve and maintain habitat for state listed sensitive species and federally listed threatened or endangered species.

Riparian & Aquatic Habitat Management Objectives:

- 1) To improve priority riparian and stream habitat to good or better condition and prevent decline of remaining areas.
- 2) To improve and maintain habitat for state listed sensitive species and federally listed threatened or endangered species.

Watershed Management Objectives:

- 1) Reduce and prevent, to the extent possible, erosion throughout the resource area.
- 2) Identify and protect or improve those areas which are particularly susceptible to erosion.
- 3) Maintain and/or improve present water quality and yield throughout the resource area.
- 4) Conduct watershed studies and inventories necessary to provide current information on watershed conditions and problems.
- 5) Restore optimum watershed production and stabilization through grazing management wherever feasible.

Shoshone-Eureka Resource Area Management Plan (RMP) Objectives (Shoshone - Eureka RMP Record of Decision dated 1986 and Shoshone - Eureka RMP Amendment, Record of Decision dated 1987)

<u>Livestock Grazing Management Objectives (Shoshone Eureka Resource Area):</u>	
1)	Manage livestock use at 239,717 animal unit months (AUMs)(5-year average use) in the short term and determine if such use can be maintained. In the long-term, manage livestock use at 262,500 AUMs.
2)	To establish a grazing management program designed to provide key forage plants with adequate rest from grazing during critical growth periods.
3)	To achieve, through management of livestock and wild horses, utilization levels consistent with those recommended by the Nevada Rangeland Monitoring Handbook to allow more plants to complete growth cycles and to increase storage of reserves for future growth.
4)	In the long-term, improve ecological condition of 585,191 acres to good condition, and 25,990 acres to excellent condition.
5)	In the long-term, stop downward trends in ecological condition on 464,873 acres and manage for upward trends on 634,868 acres.
6)	In the long-term, improve and maintain 133,075 acres of big game habitat in good condition and 6,104 acres in excellent condition.
7)	In the long-term, stop downward trends on 65,702 acres of big game habitat and manage for upward trends on 144,186 acres.
8)	In the short-term, improve or maintain in good or better condition, 64 miles of aquatic habitat and 768 acres of riparian habitat associated with the streams and an additional 1,067 acres of other meadows, springs, and aspen groves.
9)	In the long-term, improve and maintain in good or better condition, a total of 84.8 miles of aquatic habitat and 1,018 acres of riparian habitat associated with the streams and an additional 1,414 acres of other meadows, springs, and aspen groves.

<u>Wild Horse & Burro Management Objectives:</u>	
1)	To manage viable herds of sound, healthy wild horses in a wild and free roaming state.
2)	To initially manage wild horse populations at existing numbers based on the 1982 aerial counts and determine if this level of use can be maintained.
3)	To manage wild horses within the areas which constituted their habitat at the time the Wild and Free-Roaming Horse and Burro Act became law in 1971.

AGREEMENT FOR CHANGES IN LIVESTOCK GRAZING MANAGEMENT

FOR THE UNIVERSITY OF NEVADA AT RENO - GUND RANCH

IN THE GRASS VALLEY ALLOTMENT # 10006

1. INTRODUCTION

The Grass Valley Allotment Conformance Determination dated March 6, 2002, has documented the need to adjust livestock grazing management and wild horse herd management to conform with the Nevada Northeastern Great Basin Resource Advisory Council (RAC) Standards and Guidelines for Rangeland Health. The Appropriate Management Level (AML) for Rocky Hills and Callaghan Herd Management Areas (HMA) will be established through the multiple use decision process. This agreement documents the changes in livestock grazing use and existing livestock grazing practices for the Grass Valley Allotment. This agreement is specific to Gund Ranch (University of Nevada at Reno - UNR) historic use area within the allotment. A new term permit will be issued which will include the agreed upon changes.

2. PRESENT ALLOTMENT SUMMARY

Allotment	Active Preference
Grass Valley #10006*	4,223

*In reference to the 1999 Trail Canyon Wildfire, portions of the Gund Ranch use area in the Grass Valley Allotment are closed to grazing and presently 1,500 AUMs are applied as non-use.

Pasture	Livestock Number	Livestock Kind	Grazing Period Begin	Grazing Period End	%PL	Type Use	AUMs
Native Range	522	Cattle	05/01	12/31	100	Active	4205
Native Range	180	Cattle	01/01	01/03	100	Active	18

3. PRESENT RANGE CONDITIONS

Assessment of key areas located within the Gund Ranch use area include the following:

- GV-1a, Low production of dominant key grass species Indian ricegrass. Perennial vegetation production is below potential natural community (PNC). Co-dominant key grass specie needle-and-thread is absent in key area.
- GV-3, Low production of dominant (Indian ricegrass) and co-dominant (bottlebrush squirreltail) key grass species. Perennial vegetation production is below (PNC) as referenced in the Major Land Resource Area (MLRA) Range Site Description handbooks.
- GV-5, Dominant key grass (Basin wildrye) specie is below potential production.

Co-dominant key grass (alkali sacaton) is absent from key area. Perennial vegetation production is below PNC as referenced in the MLRA handbooks.

- GV-11, Dominant key grass (Indian ricegrass) specie is absent in key area. Co-dominant key grass (Bottlebrush squirreltail) specie is below production potential. Key area is dominated by pepperweed and cheatgrass. Perennial vegetation production is below PNC as referenced in the MLRA handbooks.

Utilization

- Utilization indicates moderate to heavy/severe use in Gund Ranch historic use area. Canyon bottoms in the Simpson Park Mountains show heavy/severe use. Upland forage utilization exceeded 50% as indicated by use pattern maps.
- Utilization of browse species exceeded 50% utilization in 1990, 1991 and 1993.

Riparian

- Proper Functioning Condition (PFC) assessments were not completed prior to the August 1999 Trail Canyon Fire. The fire burned over most of the mountain riparian-wetland systems. PFC was completed on the Gund Ranch Use area in June 2000 as part of the Gund Ranch Research study on the effects of managed grazing on the vegetative community after a fire. The assessment showed that 69% of miles of streams were functional at risk; 18% were non-functional, and 13% were at proper functioning condition. These post fire results were not unexpected and were taken as baseline for improvement to the minimum required RAC standard of proper functioning condition for all riparian-wetland systems.
- The streams flowing out of the Gund Ranch Use area are extremely steep (10% - +50% slope) and can best be categorized as Rosgen A3-6 streams. Head cuts located in sections of clay/loam and silt deposited on the flatter A5-6 sections, indicate that these streams were at one time controlled by willows and large woody debris (aspen). A study of aspen in Sheep Corral Canyon conducted by Dr. Charles Kay (Wildlife Ecologist for Wildlife Management Service of Providence Utah) in September of 2001 found 100% of the aspen suckers grazed, where available to cattle. Grazed suckers averaged 2.3 feet in height, while ungrazed suckers averaged seven feet in height.

In accordance with 43 CFR 4180.2(c), "The authorized officer shall take appropriate action as soon as practicable but not later than the start of the next grazing year upon determining that existing grazing management practices or levels of grazing use on public lands are significant factors in failing to achieve the standards and conform with the guidelines that are made effective under this section. Appropriate action means implementing actions pursuant to subparts 4110, 4120, 4130, and 4160 of this part that will result in significant progress toward fulfillment of the standards and significant progress toward conformance with the guidelines. Practices and activities subject to standards and guidelines include the development of grazing-related portions of activity plans, establishment of terms and conditions of permits, leases and other grazing

authorizations, and range improvement activities such as vegetation manipulation, fence construction and development of water."

4. AGREED UPON CHANGES IN LIVESTOCK USE

The agreed upon changes in livestock use, as documented in this agreement, are made in order to achieve the management objectives for public lands administered under the Bureau of Land Management (BLM) while being consistent with RAC Standards for Rangeland Health, and objectives as described in the Shoshone-Eureka Resource Management Plan (RMP) and Amendment, and the Shoshone-Eureka Rangeland Program Summary (RPS).

This agreement will become effective upon the date of approval by the authorized officer and will be implemented at the start of the 2003 grazing season..

Terms and Conditions

1. Long Term Goals:

- Increase frequency of dominant and/or co-dominant grass species per key area.
- Increase production of the dominant and/or co-dominant native or seeded palatable species to a minimum of 50% of the site potential for vegetation type (grass, forb, shrub). Site production potentials by range or ecological site are described in the SCS's MLRA Site Descriptions. Note: If dominant and subdominant species are missing from the site, use secondary species as interim key species.
- Improve all lotic and lentic riparian areas to the minimum requirements of proper functioning condition.
- Maintain or improve willow and aspen species within the allotment. Achieve diverse age classes for these species. This objective should be achieved through changes in livestock season of use, utilization restriction set under vegetative objectives.

2. In reference to areas of livestock closure due to the 1999 Trail Canyon Fire, permittee agrees to apply for 1,024 AUMs of non-use in the Grass Valley Allotment each grazing season, until the areas under closure are lifted and AUMs are restored.

3. Active Authorized Grazing Use is adjusted by 1,175 AUMs. Active Authorized Grazing Use is adjusted from 4,223 cattle AUMs to 3,048 cattle AUMs for Gund Ranch (UNR) use area in the Grass Valley Allotment. The 1,175 AUMs will be held in Conservation Use for the purposes of furthering research at the UNR Gund Ranch research facility. The 1,175 AUMs will be restored to active use when the rangeland recovers and is showing sustained conformance with the Northeast Great Basin Resource Advisory Council's Standards and Guidelines.

4. Additional rangeland monitoring will be required to determine progress or attainment of the Northeastern Great Basin RAC Standards and Guidelines. The UNR-Gund Ranch is encouraged to conduct monitoring on public lands in consultation, coordination, and cooperation with the BLM and in accordance with the Nevada Rangeland Monitoring Handbook or other approved methods.
5. Memorandum of Understanding. Implement a Memorandum of Understanding between the Bureau of Land management and the University of Nevada to outline needed research on UNR and BLM administered lands.
6. Grazing Schedule

Even Years

Pasture	Livestock Number	Livestock Kind	Grazing Period Begin	Grazing Period End	%PL	Type Use	AUMs
Walti	86	Cattle	05/01	05/31	100	Active	88
Pine Mountain	411	Cattle	06/01	06/30	100	Active	405
Moonshine	411	Cattle	07/01	08/15	100	Active	622
Salt Marsh	411	Cattle	08/16	09/30	100	Active	622
Hot Springs	411	Cattle	10/01	01/05	100	Active	1,311

Odd Years

Pasture	Livestock Number	Livestock Kind	Grazing Period Begin	Grazing Period End	%PL	Type Use	AUMs
Walti	86	Cattle	05/01	05/31	100	Active	88
Pine Mountain	411	Cattle	07/01	08/15	100	Active	622
Moonshine	411	Cattle	06/01	06/30	100	Active	405
Salt Marsh	411	Cattle	08/16	09/30	100	Active	622
Hot Springs	411	Cattle	10/01	01/05	100	Active	1,311

7. The terms and conditions of this permit must be consistent with the Standards and Guidelines approved by the BLM State Director December 14, 2000 for the Nevada Northeastern Great Basin Resource Advisory Council (RAC) area.
8. In order to improve livestock and rangeland management on the public lands, all salt blocks and/or mineral supplements will not be placed within 1/2 mile of any riparian area, wet meadow, or watering facility (either permanent or temporary) unless stipulated through a written agreement or decision.
9. Utilization shall not exceed 50% on key upland herbaceous species. Key species shall be

those dominant and/or co-dominant species as described in the NRCS MLRA site guides appropriate to the site.

10. Utilization of riparian habitat to be improved shall not exceed 40% on key herbaceous species (carex, sedge, etc.). Utilization on woody species (willow, aspen, rose, etc.) shall not exceed 30%.
11. Utilization of Key Browse Species shall not exceed 40%. Key species are those described in the NRCS MLRA site guides.
12. When maximum utilization levels have been reached on any key species, riparian key species, or woody/browse species, cattle will be moved into next pasture of rotation.
13. An even distribution of livestock utilization throughout the Gund use area is essential in meeting utilization objectives. Additional fencing, water developments and water haul sites may be required to achieve objectives.

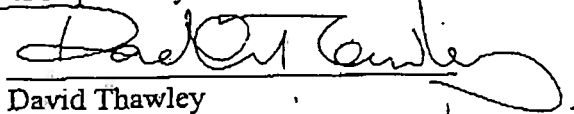
Standard Code of Federal Regulations:

1. In accordance with 43 CFR 4120.3-1(a) all range improvements on the public lands shall be installed, used, maintained, modified, and/or removed from these lands in a manner consistent with multiple use management.
2. In accordance with 43 CFR 4130.3-1(b) "All permits and leases shall be made subject to cancellation, suspension, or modification for any violation of these regulations or of any term or condition of the permit or lease."
3. In accordance with 43 CFR 4130.3-2(d) "A requirement that permittees or lessees operating under a grazing permit or lease submit within 15 days after completing their annual grazing use, or as otherwise specified in the permit or lease, the actual use made."
4. In accordance with 43 CFR 4130.3-2(h) all grazing permittees shall provide reasonable access across private and/or leased lands to the Bureau of Land Management for the orderly management and protection of the public lands.
5. In accordance with 43 CFR 4130.8-1(f): Failure to pay grazing bills within 15 days of the due date specified in the bill shall result in a late fee assessment of \$25.00 or 10 percent of the grazing bill, whichever is greater, but not to exceed \$250.00. Payment made later than 15 days after the due date, shall include the appropriate late fee assessment. Failure to make payment within 30 days may be a violation 43 CFR 4140.1(b)(1) and shall result in action by the authorized officer under 43 CFR 4150.1 and 4150.2."
6. Pursuant to 43 CFR 10.4 (g) the holder of the Authorization must notify the authorized officer, by telephone with written confirmation, immediately upon the discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony (as defined at 43 CFR 10.2), Further pursuant to 43 CFR 10.4(c) and (d), you must stop

activities in the immediate vicinity of the discovery and protect it from your activities for 30 days or until notified by the authorized officer.

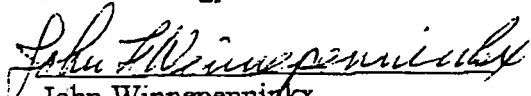
5. AGREEMENT

I, the undersigned, do hereby agree to and accept this agreement. I understand that the grazing privileges so authorized herein are subject to the provisions of the Code of Federal Regulations (43 CFR 4100 through 4170) which deal with grazing use on public lands. I also agree that the Terms and Conditions of this agreement are binding upon the permittee(s), his respective heirs, executors administrators, successors in interest of assignors with such modification as approved or required by the authorized officer.



David Thawley
University of Nevada at Reno
Dean of the College of Agriculture,
Biotechnology and Natural Resources

6/4/02
Date



John Winnepennickx
Assistant Field Manager
Renewable Resources

6/4/02
Date

AGREEMENT FOR CHANGES IN LIVESTOCK GRAZING MANAGEMENT FOR THE DRY CREEK RANCH

IN THE GRASS VALLEY ALLOTMENT # 10006

I. INTRODUCTION

The Grass Valley Allotment Conformance Determination dated March 6, 2002, has documented the need to adjust livestock grazing management and wild horse herds to conform with the Nevada Northeastern Great Basin Resource Advisory Council (RAC) Standards and Guidelines for Rangeland Health. The Appropriate Management Level (AML) for Rocky Hills and Callaghan Herd Management Areas (HMA) will be established through the multiple use decision process. This agreement documents the changes in livestock grazing use and existing livestock grazing practices for the Grass Valley Allotment. This agreement is specific to Dry Creek Ranch (Peter Damele) historic use area within the allotment. A new term permit will be issued which will include the agreed upon changes.

II. PRESENT ALLOTMENT SUMMARY

Allotment	Preference Active
Grass Valley #10006*	693

Grazing Schedule

Pasture	Livestock Number	Livestock Kind	Grazing Period Begin	Grazing Period End	%PL	Type Use	AUMs
Bates Mtn	144	Cattle	06/01	08/31	100	Active	653
Bates Mtn	4	Horses	03/01	06/15	75	Active	11
Bates Mtn	5	Horses	06/16	08/31	75	Active	9
Bates Mtn	203	Cattle	09/01	09/30	100	Active	200

III. PRESENT RANGE CONDITIONS

Assessment of key areas located within the Dry Creek Ranch use area include the following:

- GV 15, Key species (mountain brome and spike fescue) are absent from Key Area.
- GV 16, Key species (Indian ricegrass and needle-and-thread) are absent from Key Area. Wyoming sage dominates the site.

Utilization

- Utilization indicates heavy/severe use on Bates Mountain, Steiner Creek and upper watershed of Water Canyon. Riparian utilization is not meeting minimum objectives, use pattern map data from 1989, 1990, and 1992 indicated heavy/severe use in areas that are accessible to cattle in Steiner Creek and Water Canyon.
- Utilization of browse species on Bates Mountain exceeded 50% utilization in 1989 and 1990.

Riparian

- The 1996 assessment for the first .75 miles of the headwaters of the North Fork of Steiner Creek rated non-functional.
- Spring area at headwater of Steiner Creek does not have adequate riparian vegetation or cover present to facilitate water retention.
- Aspen stands on Bates Mountain are lacking in understory with little or no aspen regeneration.

In accordance with 43 CFR 4180.2(c), "The authorized officer shall take appropriate action as soon as practicable but not later than the start of the next grazing year upon determining that existing grazing management practices or levels of grazing use on public lands are significant factors in failing to achieve the standards and conform with the guidelines that are made effective under this section. Appropriate action means implementing actions pursuant to subparts 4110, 4120, 4130, and 4160 of this part that will result in significant progress toward fulfillment of the standards and significant progress toward conformance with the guidelines. Practices and activities subject to standards and guidelines include the development of grazing-related portions of activity plans, establishment of terms and conditions of permits, leases and other grazing authorizations, and range improvement activities such as vegetation manipulation, fence construction and development of water."

IV. AGREED UPON CHANGES IN LIVESTOCK USE

The agreed upon changes in livestock use, as documented in this agreement, are made in order to achieve the management objectives for public lands administered under the Bureau of Land Management (BLM) while being consistent with RAC Standards for Rangeland Health, and objectives as described in the Shoshone-Eureka Resource Management Plan (RMP) and Amendment, and the Shoshone-Eureka Rangeland Program Summary (RPS).

The permitted and season use will be adjusted as follows in relation to the Dry Creek Ranch use area of the Grass Valley Allotment #10006. This agreement will become effective upon the date of approval by the authorized officer.

Terms and Conditions

1. Long Term Goals:

- 1 • Increase frequency of dominant and/or co-dominant grass species per key area.
- 4 • Increase aspen regeneration and understory on Bates Mountain.
- 1/3 • Maintain perennial vegetative production at a sustained yield to the equivalency of perennial vegetation production of normal years.
- 2 • Increase production of the dominant and/or co-dominant native palatable species to a minimum of 50% of the site potential. Site production potentials by range or ecological site are described in the SCS's MLRA Site Descriptions. ~~{Note: plant species unpalatable to livestock normally increase without assistance. In a few cases, big sagebrush or other brush species may be planted by BLM to provide habitat for wildlife.}~~

2. Active Authorized Grazing Use for Peter Damele's use area is 630 cattle and horse AUMs (610 cattle AUMs and 20 horse AUMs). Upon a sustained conformance with the Resource Advisory Council Standards and Guidelines for rangeland health, Active Authorized Grazing Use for the Grass Valley Allotment will be adjusted by 63 AUMs from 630 AUMs to 693 AUMs (673 cattle AUMs and 20 horse AUMs)

3. Grazing Schedule

Pasture	Livestock Number	Livestock Kind	Grazing Period		%PL	Type Use	AUMs
			Begin	End			
Bates Mountain*	244	Cattle	06/01	08/15	100	Active	610
Bates Mountain*	8	Horses	06/01	08/15	100	Active	20

*Use is restricted to Bates Mountain, upper watershed of Steiner Creek and Water Canyon.

4. The terms and conditions of this permit must be consistent with the Standards and Guidelines approved by the BLM State Director December 14, 2000 for the Nevada Northeastern Great Basin Resource Advisory Council (RAC) area.
5. In order to improve livestock and rangeland management on the public lands, all salt blocks and/or mineral supplements will not be placed within 1/2 mile of any riparian area, wet meadow, or watering facility (either permanent or temporary) unless stipulated through a written agreement or decision.
6. Utilization shall not exceed 50% on key herbaceous species.
7. Utilization of riparian habitat to be improved shall not exceed 40% on key herbaceous species (carex, sedge, etc.). Utilization on woody species (willow, aspen, rose, etc.) shall not exceed 30%.

8. Utilization of Key Browse Species shall not exceed 40%.
9. When 50% utilization on key herbaceous species and/or 40% utilization of woody/browse species have been reached, cattle will be removed from grazing area for the remainder of the grazing season.

Standard Code of Federal Regulations:

1. In accordance with 43 CFR 4120.3-1(a) all range improvements on the public lands shall be installed, used, maintained, modified, and/or removed from these lands in a manner consistent with multiple use management.
2. In accordance with 43 CFR 4130.3-1(b) "All permits and leases shall be made subject to cancellation, suspension, or modification for any violation of these regulations or of any term or condition of the permit or lease."
3. In accordance with 43 CFR 4130.3-2(d) "A requirement that permittees or lessees operating under a grazing permit or lease submit within 15 days after completing their annual grazing use, or as otherwise specified in the permit or lease, the actual use made."
4. In accordance with 43 CFR 4130.3-2(h) all grazing permittees shall provide reasonable access across private and/or leased lands to the Bureau of Land Management for the orderly management and protection of the public lands.
5. In accordance with 43 CFR 4130.8-1(f): "Failure to pay grazing bills within 15 days of the due date specified in the bill shall result in a late fee assessment of \$25.00 or 10 percent of the grazing bill, whichever is greater, but not to exceed \$250.00. Payment made later than 15 days after the due date, shall include the appropriate late fee assessment. Failure to make payment within 30 days may be a violation 43 CFR 4140.1(b)(1) and shall result in action by the authorized officer under 43 CFR 4150.1 and 4150.2."
6. Pursuant to 43 CFR 10.4(g) the holder of the Authorization must notify the authorized officer, by telephone with written confirmation, immediately upon the discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony (as defined at 43 CFR 10.2), Further pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the immediate vicinity of the discovery and protect it from your activities for 30 days or until notified by the authorized officer.

In addition to the above Terms and Conditions, BLM will implement the following Range Improvements which is dependent on funding, district policies, and contingent upon National Environmental Policy Act (NEPA) analysis.

1. Set, Appropriate Management Level (AML) by Multiple Use Decision on Callaghan and Rocky Hills Herd Management Area.

2. Adjustments to the stocking rate and season of use may not solve all riparian concerns, therefore some riparian areas may require fencing in order to meet RAC Standard 2.
3. In areas where water is not available for wildlife use, guzzlers and/or wells may be installed by BLM.
4. A reduction of sagebrush and/or pinyon-juniper composition may be required, on some range sites, to achieve an increase in production of grass and forb species.
5. A suitable pole or snow fence may be required at the head of Dry Canyon and possibly other access points to control drift into Bates Mountain area from the Dry Creek Allotment.

V. AGREEMENT

I, the undersigned, do hereby agree to and accept this agreement. I understand that the grazing privileges so authorized herein are subject to the provisions of the Code of Federal Regulations (43 CFR 4100 through 4170) which deal with grazing use on public lands. I also agree that the Terms and Conditions of this agreement are binding upon the permittee(s), his respective heirs, executors administrators, successors in interest of assignors with such modification as approved or required by the authorized officer.

Peter Damele

Peter Damele
Dry Creek Ranch

3/30/02
Date

John Winnepenninkx

John Winnepenninkx
Assistant Field Manager
Renewable Resources

4/1/2002
Date

**RELINQUISHMENT OF GRAZING PREFERENCE(S), PERMIT(S), AND
RANGE IMPROVEMENTS FOR THE
GRASS VALLEY ALLOTMENT**

I/we hereby relinquish to the BLM all right, title, and interest in (1) the grazing preference(s) attached to my/our base property or base waters identified on attachment A, *including, specifically, any associated with the Grass Valley Allotment BLM Number 10006*, (2) any and all grazing permits associated with said preference, and (3) any and all range improvements within the allotment(s) identified on attachment B. I/we understand BLM, upon acceptance of this relinquishment, will terminate and/or cancel immediately any permits or other authorizations for the above-mentioned items without notice to me/us. I/we also understand that, consistent with the Final Shoshone-Eureka Resource Management Plan and Final Environmental Impact Statement, dated March 1986, once this relinquishment is accepted, the allotment(s) identified on attachment B shall be closed to livestock grazing and any application by me/us or my/our successors-in-interest for grazing use on said allotment(s) will be rejected.

Additionally, I acknowledge that the United States has no obligation to compensate me for my interest in permanent range improvements *within the allotment(s)*, identified on attachment B, as provided for in 43 CFR 4120.3-6(c) (1998).

I acknowledge that the BLM will specifically allocate the 120 AUMs that I/we are relinquishing for wildlife.

The signatories below verify that they are the sole owners or holders of the interests indicated in this relinquishment.

Signed 

Date 27 March 2002

Cortez Joint Venture

Accepted by 

Date March 27, 2002

John F. Winnepenninkx

Assistant Field Manager for Renewal Resources

Battle Mountain Field Office

Bureau of Land Management

COPY

ATTACHMENT A

**BASE PROPERTIES RELATING TO
RELINQUISHMENT OF GRAZING PREFERENCE(S), PERMIT(S),
AND RANGE IMPROVEMENTS LOCATED IN THE GRASS VALLEY
ALLOTMENT**

1. Cortez Joint Venture:

A. 14,020 acres of privately owned land in Nevada described as:

TOWNSHIP 27 NORTH, RANGE 47 EAST

Section 13: All

TOWNSHIP 28 NORTH, RANGE 48 EAST

Section 1: All

Section 3: All

Section 5: All

Section 7: All

Section 8: NE 1/4 NE 1/4, S 1/2 S 1/2

Section 9: All

Section 11: All

Section 12: S 1/2 SW 1/4, SW 1/4 SE 1/4

Section 13: All

Section 14: N 1/2 SW 1/4, W 1/2 SE 1/4

Section 15: All

Section 16: W 1/2 NE 1/4, NW 1/4

Section 17: All

Section 18: E 1/2 E 1/2, NW 1/4 NE 1/4, NE 1/4 NW 1/4,
Lot 1 (NW 1/4, NW 1/4)

Section 19: NW 1/4, SE 1/4

Section 21: S 1/2 SW 1/4

Section 22: SW 1/4 SW 1/4

Section 23: N 1/2, NW 1/4

Section 24: NE 1/4, NE 1/4

Section 27: SW 1/4, NW 1/4

Section 28: NE 1/4, E 1/2 NW 1/4, SE 1/4 SW 1/4, SW 1/4 SE 1/4, NE
1/4 SE 1/4

Section 32: SE 1/4 NE 1/4, SW 1/4 SW 1/4, NE 1/4 SW 1/4, NW 1/4,
SE 1/4

ATTACHMENT A

**BASE PROPERTIES RELATING TO
RELINQUISHMENT OF GRAZING PREFERENCE(S), PERMIT(S),
AND RANGE IMPROVEMENTS LOCATED IN THE GRASS VALLEY
ALLOTMENT**

TOWNSHIP 28 NORTH, RANGE 49 EAST

Section 7: All
Section 19: N ½

COPY

TOWNSHIP 29 NORTH, RANGE 50 EAST

Section 3: All
Section 5: All
Section 7: All
Section 9: All
Section 11: All
Section 13: All
Section 17: All

ATTACHMENT B

RELINQUISHMENT OF GRAZING PREFERENCE(S), PERMIT(S), AND RANGE IMPROVEMENTS WITHIN THE GRASS VALLEY ALLOTMENT

1. Allotment Description:

The Dean Ranch (Cortez Joint Venture) has historically used the area located north of the McClusky Creek Drainage and the Dry Lake bed and within Grass Valley Allotment as defined by the boundaries with Carico Lake, Buckhorn, and JD Allotments.

2. Original Adjudication:

The 1962 adjudication allowed 150 AUMs for drift from the Carico Lake Allotment into the Grass Valley Allotment. Drift is no longer a consideration since a boundary fence constructed in 1977, between the Carico Lake and Grass Valley Allotments.

3. Range Improvements:

Grass Valley Boundary Fence, (Project # 4410) constructed in 1977, includes the following legal descriptions.

- T. 23 N., R. 46 E., Secs. 4, 5, 9, 10, 12
- T. 23 N., R. 47 E., Secs. 4, 5, 7, 8
- T. 24 N., R. 46 E., Secs. 31, 32
- T. 24 N., R. 47 E., Secs. 26, 27, 33, 34
- T. 25 N., R. 48 E., Secs. 6, 7
- T. 26 N., R. 48 E., Secs. 17, 19, 20, 30, 31

Francis Place Fence, (Project # 4243) constructed in 1954, includes the following legal descriptions

- T. 26 N., R. 47 E., Secs. 9 & 16

AGREEMENT FOR CHANGES IN LIVESTOCK GRAZING MANAGEMENT FOR THE FLYING "T" RANCH

IN THE GRASS VALLEY ALLOTMENT # 10006

I. INTRODUCTION

The Grass Valley Allotment Conformance Determination dated March 6, 2002, has documented the need to adjust livestock grazing management and wild horse herd management to conform with the Nevada Northeastern Great Basin Resource Advisory Council (RAC) Standards and Guidelines for Rangeland Health. The Appropriate Management Level (AML) for Rocky Hills and Callaghan Herd Management Areas (HMA) will be established through the multiple use decision process. This agreement documents the changes in livestock grazing use and existing livestock grazing practices for the Grass Valley Allotment. This agreement is specific to Baumann Ranch (Tom and Volina Connolly - Flying "T" Ranch) historic use area within the allotment. A new term permit will be issued which will include the agreed upon changes.

II. PRESENT ALLOTMENT SUMMARY

Allotment	Preference Active
Grass Valley #10006*	3,517

*In reference to the 1999 Trail Canyon Wildfire, portions of the Baumann Ranch use area in the Grass Valley Allotment are closed to grazing and presently 2,180 AUMs are applied as non-use.

Pasture	Livestock Number	Livestock Kind	Grazing Period Begin End	%PL	Type Use	AUMs
Native Range	319	Cattle	06/01 02/28	100	Active	2863
Horse Ranch Seeding*	21	Cattle	03/01 02/28	100	Active	252
South Keystone Seeding*	10	Cattle	03/01 02/28	57	Active	68
North Keystone Seeding*	8	Cattle	03/01 02/28	100	Active	96
Upper McClusky	75	Cattle	05/01 06/30	100	Active	150
Lower McClusky	11	Cattle	05/01 02/28	80	Active	88

* Livestock will be authorized for grazing in the seedings from 03/01 - 02/28. If use is made prior to June 1st one year, that seeding shall not be authorized for grazing prior to June 1 the following year. Spring and summer use will be limited to 50% utilization, fall and winter use will be limited to 60% utilization.

III. PRESENT RANGE CONDITIONS

Assessment of key areas located within the Baumann Ranch use area include the following:

- GV-2, key species are absent from key area. Cheatgrass dominates the key area. Perennial vegetation production is below Potential Natural Community (PNC) for a normal year production (600 lbs./acre) as referenced in the Natural Resource Conservation Service Major Land Resource Area (MLRA) range site description handbooks.
- GV4a, Cheatgrass dominates the key area with perennial vegetation production below PNC for an unfavorable year production (300 lbs./acre) as referenced in the MLRA handbooks.
- GV-4b and GV-8, key species are absent from key area. Perennial vegetation production is below PNC for an unfavorable year production (400 lbs./acre) as referenced in the MLRA handbooks.
- GV-6, key species are absent from key area. Perennial vegetation production is slightly above unfavorable year production (600 lbs./acre) as referenced in the MLRA handbooks.
- GV-7, key species are absent from key area. Bluegrass, a low producing and shallow rooted species, is the dominant grass species.
- GV-9, key species are absent from key area. Perennial vegetation production is slightly above unfavorable year production (400 lbs./acre) as referenced in the MLRA handbooks.

Utilization

- Utilization data indicates heavy/severe use on McClusky Creek, Dugout Spring, between Pat and Fye Canyon.

Riparian

- Proper Functioning Condition (PFC) assessments on McClusky Creek indicated 4.25 miles of a total 5.25 miles were Functional at Risk-Trend not Apparent in 1996.*
- Stream surveys conducted in 1993, for McClusky Creek indicated bank cover, bank stability, and habitat were not achieving habitat standards.*

* The Trail Canyon fire occurred in 1999, therefore the watershed has been exposed to an increased probability of erosion and deposition leading to further stream degradation.

In accordance with 43 CFR 4180.2(c), "The authorized officer shall take appropriate action as soon as practicable but not later than the start of the next grazing year upon determining that existing grazing management practices or levels of grazing use on public lands are significant factors in failing to achieve the standards and conform with the guidelines that are made effective under this section. Appropriate action means implementing actions pursuant to subparts 4110, 4120, 4130, and 4160 of this part that will result in significant progress toward fulfillment of the standards and significant progress toward conformance with the guidelines. Practices and activities subject to standards and guidelines include the development of grazing-related portions of activity plans, establishment of terms and conditions of permits, leases and other grazing authorizations, and range improvement activities such as vegetation manipulation, fence construction and development of water."

IV. AGREED UPON CHANGES IN LIVESTOCK USE

The agreed upon changes in livestock use, as documented in this agreement, are made in order to achieve the management objectives for public lands administered under the Bureau of Land Management (BLM) while being consistent with RAC Standards for Rangeland Health, and objectives as described in the Shoshone-Eureka Resource Management Plan (RMP) and Amendment, and the Shoshone-Eureka Rangeland Program Summary (RPS).

The season of use and permitted use will be adjusted as follows in relation to the Baumann Ranch (Flying "T" Ranch) historic use area of the Grass Valley Allotment #10006. This agreement will become effective upon the date of approval by the authorized officer.

There will be no adjustments within the Baumann Buckhorn Allotment # 15465.

Terms and Conditions

1. Active Authorized Grazing Use for the Grass Valley Allotment is 3,517 cattle AUMs.
2. Long Term Goals:
 - Increase frequency of dominant and/or co-dominant grass species per key area.
 - Maintain key herbaceous production at a sustained yield to the equivalency of vegetative production of normal years as described in the MLRA handbooks.
3. In reference to areas of livestock closure due to the 1999 Trail Canyon Fire, permittee agrees to apply for 2,092 AUMs of non-use in the Grass Valley Allotment each grazing season, until the areas under closure are re-opened and AUMs are restored.

4. Grazing Schedule

Even Years

Pasture	Livestock Number	Livestock Kind	Grazing Period Begin	Grazing Period End	%PL	Type Use	AUMs
Horse Ranch Seeding*	25	Cattle	04/01	01/31	100	Active	250
North Keystone Seeding*	10	Cattle	04/01	01/31	100	Active	100
South Keystone Seeding*	17	Cattle	04/01	01/31	57	Active	100
Upper McClusky**	75	Cattle	06/01	07/31	100	Active	150
Lower McClusky	14	Cattle	06/01	01/31	80	Active	88
Native Mountain Area	351	Cattle	06/01	08/15	100	Active	878
Native Valley Floor	351	Cattle	08/16	01/31	100	Active	1951

Odd Years

Pasture	Livestock Number	Livestock Kind	Grazing Period Begin	Grazing Period End	%PL	Type Use	AUMs
Horse Ranch Seeding*	25	Cattle	04/01	01/31	100	Active	250
North Keystone Seeding*	10	Cattle	04/01	01/31	100	Active	100
South Keystone Seeding*	17	Cattle	04/01	01/31	57	Active	100
Upper McClusky**	88	Cattle	05/01	05/31	100	Active	90
Lower McClusky**	6	Cattle	05/01	01/31	80	Active	40
Native Mountain Area	351	Cattle	06/01	08/15	100	Active	878
Native Valley Floor	351	Cattle	08/16	01/31	100	Active	1951

*Livestock will be authorized for grazing in the seedings from 04/01 - 01/31. If use is made prior to June 1st one year, that seeding shall not be authorized for grazing prior to June 1st the following year. Forage utilization in all seedings will not exceed 50%.

**Maximum use period for Upper McClusky is for only one month (30 to 31 days). For Upper McClusky during even years a maximum of 150 AUMs will be authorized and during odd years a maximum of 90 AUMs will be authorized. For Lower McClusky during even years a maximum of 88 AUMs will be authorized and during odd years a maximum of 40 AUMs will be authorized.

5. The terms and conditions of this permit must be consistent with the Standards and Guidelines approved by the BLM State Director December 14, 2000 for the Nevada Northeastern Great Basin Resource Advisory Council (RAC) area. *AS amended*
6. Active Authorized Grazing Use for Tom and Volina Connolly's use area is 3,517 cattle AUMs. Upon sustained conformance with the Resource Advisory Council Standards and Guidelines for rangeland health, Active Authorized Grazing Use for the Grass Valley Allotment will be adjusted by 157 AUMs from 3,517 cattle AUMs to 3,674 cattle AUMs.

7. In order to improve livestock and rangeland management on the public lands, all salt blocks and/or mineral supplements will not be placed within 1/2 mile of any riparian area, wet meadow, or watering facility (either permanent or temporary) unless stipulated through a written agreement or decision.
8. Utilization shall not exceed 50% on key herbaceous species.
9. Utilization of riparian habitat to be improved shall not exceed 40% on key herbaceous species (carex, sedge, etc.). Utilization on woody species (willow, aspen, rose, etc.) shall not exceed 30%.
10. Utilization of key browse species shall not exceed 40%.
11. When 50% utilization on key herbaceous species and/or 40% utilization of woody/browse species have been reached, cattle will be moved into next use area of rotation.
12. In an effort to assist the BLM, Tom and Volina Connolly agree to occasionally supply all or portion of labor or materials for range improvements when feasible.

Standard Code of Federal Regulations:

1. In accordance with 43 CFR 4120.3-1(a) all range improvements on the public lands shall be installed, used, maintained, modified, and/or removed from these lands in a manner consistent with multiple use management.
2. In accordance with 43 CFR 4130.3-1(b) "All permits and leases shall be made subject to cancellation, suspension, or modification for any violation of these regulations or of any term or condition of the permit or lease."
3. In accordance with 43 CFR 4130.3-2(d) "A requirement that permittees or lessees operating under a grazing permit or lease submit within 15 days after completing their annual grazing use, or as otherwise specified in the permit or lease, the actual use made."
4. In accordance with 43 CFR 4130.3-2(h) all grazing permittees shall provide reasonable access across private and/or leased lands to the Bureau of Land Management for the orderly management and protection of the public lands.
5. In accordance with 43 CFR 4130.8-1(f): "Failure to pay grazing bills within 15 days of the due date specified in the bill shall result in a late fee assessment of \$25.00 or 10 percent of the grazing bill, whichever is greater, but not to exceed \$250.00. Payment made later than 15 days after the due date, shall include the appropriate late fee assessment. Failure to make payment within 30 days may be a violation 43 CFR 4140.1(b)(1) and shall result in action by the authorized officer under 43 CFR 4150.1 and 4150.2."

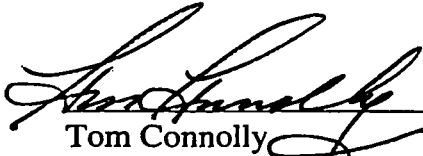
6. Pursuant to 43 CFR 10.4(g) the holder of the Authorization must notify the authorized officer, by telephone with written confirmation, immediately upon the discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony (as defined at 43 CFR 10.2). Further pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the immediate vicinity of the discovery and protect it from your activities for 30 days or until notified by the authorized officer.

In addition to the above Terms and Conditions, BLM will implement the following Range Improvements which is dependent on funding, district policies, and contingent upon National Environmental Policy Act (NEPA) analysis.

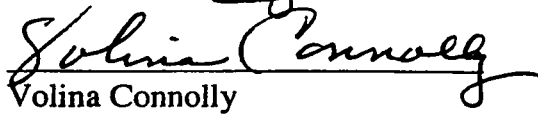
1. Set, Appropriate Management Level (AML) by Multiple Use Decision on Callaghan and Rocky Hills Herd Management Area.
2. Adjustments to the stocking rate and season of use may not solve all riparian concerns, therefore some riparian areas may require fencing in order to meet RAC Standard 2. Initially a riparian fence will be constructed around Black Springs.
3. Establish water haul sites for the following locations: South Keystone Seeding, North Keystone Seeding, Horse Ranch Seeding and areas of native range.
4. Drill and install a water well in the valley floor in the northwest portion of the allotment.
5. Construct a pipe line from spring located T 24N., R 48E., Sec 27, with water troughs, to service Baumann and/or Gund Ranch portion of the South Keystone Seeding.
6. Repair Baumann Well project #0744 after satisfying BLM water interest.
7. In areas where water is not available for wildlife use, guzzlers and/or wells may be installed by BLM.
8. A reduction of sagebrush and/or pinyon-juniper composition may be required, on some range sites, to achieve an increase in production of grass and forb species.

V. AGREEMENT

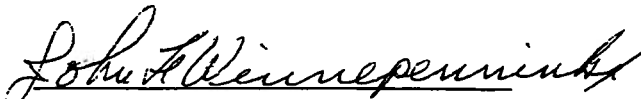
I, the undersigned, do hereby agree to and accept this agreement. I understand that the grazing privileges so authorized herein are subject to the provisions of the Code of Federal Regulations (43 CFR 4100 through 4170) pertaining to grazing use on public lands. I also agree that the Terms and Conditions of this agreement are binding upon the permittee(s), his respective heirs, executors administrators, successors in interest of assignors with such modification as approved or required by the authorized officer.


Tom Connolly

4/01/02
Date


Volina Connolly

4-1-02
Date


John Winnepenninkx
Assistant Field Manager
Renewable Resources

4/1/02
Date



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Battle Mountain Field Office
50 Bastian Road
Battle Mountain, Nevada 89820
<http://www.nv.blm.gov/battlemountain/>



Decision Record/Finding of No Significant Impact **Grass Valley Allotment Final Multiple Use Decision** NV062-DNA02-49

Decision

It is my decisions to approve the proposed actions subject to stipulations and mitigation measures identified, which are hereby incorporated into this decision.

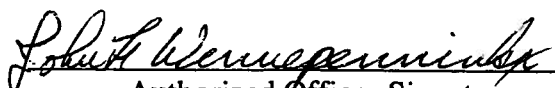
Rationale

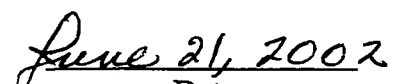
- 1) The proposed action is in conformance with and is consistent with the Shoshone-Eureka Resource Management Plan and Amendment.
- 2) Based on the environmental analysis, it is determined that the proposed action will not result in any undue or unnecessary environmental degradation of the public lands and is consistent with federal, state, and local laws, regulations, and plans.
- 3) The proposed action would not adversely impact any threatened or endangered species or significant scientific, cultural, or historical resources.

Finding of No Significant Impact (FONSI)

Based on the analysis of the EA and implementation of stipulations and monitoring and mitigation measures identified, I have determined that the quality of the human environment will not significantly be impacted as a result of this decision. Preparation of an environmental impact statement (EIS) pursuant to Section 102(2)(C) of the National Environmental Policy Act (NEPA) is not required for the following reasons;

- 1) Sensitive resource values will not be adversely impacted from implementation of the proposal action.
- 2) There would be no adverse affect on threatened or endangered, or Nevada State Sensitive Species within the project area.
- 3) The project will not adversely affect or cause destruction of significant scientific, cultural, or historical resources.
- 4) The proposed action will not adversely affect public health or safety. The project and its potential effects on the human environment are not highly uncertain and do not involve unique or unknown risks.


Authorized Officer Signature


Date

